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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/154,431	09/16/1998	FRANCOIS MENARD	GGD-101	6969

25545 7590 12/18/2001  
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CANADA

EXAMINER

DUONG, DUC T

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 12/18/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/154,431

Applicant(s)

MENARD ET AL.

Examiner

Duc Duong

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 1998.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-18 and 26-31 is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 10, 19-21, 24, and 32 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 8, 9, 22, and 23 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-4, 7, 10, 19-21, 24, and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyama U.S. Patent 5,654,957.

Regarding to claims 1, 2, 19, 20, and 32, Koyama discloses a packet communication packet system and method, wherein comprised a connection (telephone) interface line 103 connect to a telephone network (line), a telephone interface 34 connect to a handset 19 (telephone set), a Local Area Network interface (packet network interface) 101 connect to a packet network, and a processor (controller circuit) 31 interconnecting with the telephone line interface telephone interface, and Local Area Network interface. It should be noted that the processor, depend on the signal arrival information, act as a controller circuit to route between the telephone interface, Local Area Network interface. See Figure 2 col. 5, lines 13-50.

Regarding to claim 3, Koyama further discloses the Local Area Network interface connects to a packet network by a communication gateway 12 (packet network gateway). See Fig.1, col. 2, lines 17-19.

Regarding to claim 4, it is inherent the processor includes a software for control of call routing.

Regarding to claims 7, 21, and 24, Koyama discloses communication between differences units (routing rule and method) is determine by the identifier of the unit (col.5, lines 58-62). So base on the identifier of the unit, the packet communication selects the connection path whether the identifier is a network address or telephone number (local, emergency, or long distance). See col. 6, lines 12-16.

Regarding to claim 10, Koyama discloses a packet communication system includes a speech packet processor (speech encoder/decoder) for processing a speech input and speech output. See col. 5 lines 28-30.

3. Claims 5, 6, 8, 9, 22, and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 11-18 and 26-31 are allowed.

3. Applicant's arguments filed September 16, 1998 have been fully considered but they are not persuasive.

On page 17, Applicant's argument that the prior art fails to disclose or fairly suggest a device or method for routing a call from a telephone set to a telephone line or a packet network. Applicant's attention is directed to col. 5 lines 65-67, wherein Koyama teaches for transmitting a call from the telephone.

Also on page 17, Applicant's argument the prior art refers to a LAN rather than an interface to a LAN. Applicant's attention is directed to col. 5 lines 5-13, wherein Koyama teaches the packet communication unit having connection to a LAN. The connection read on the packet network interface on lines 5 in claims 1 and 19.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 703-605-5146. The examiner can normally be reached on M-F (8:30 AM-5:30 PM).

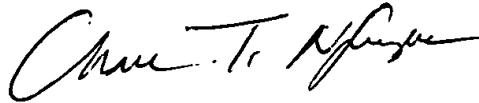
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 703-308-5340. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3988 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

DD

DD

December 14, 2001



CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800